

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 15-24 are pending in this application. Claims 15-24 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,208,427 B1 to Lee.

Addressing the above-noted rejection based on Lee, that rejection is traversed by the present response.

Applicants initially note certain of the claims are amended by the present response to be more clearly directed to a “controlling device for a printing image forming apparatus”. As can be understood from the specification for the claimed invention, the claimed invention can be directed to a system including a host computer and a printer, and in which the printer driver can be included in the host computer to control a printing image forming apparatus. Such a configuration can be realized by the claims as currently amended, although the claims do not require the controlling device to be separate from the printer.

Applicants respectfully submit that the outstanding rejection is not fully considering each of the positively recited claim limitations. Specifically, independent Claim 15 is directed to a “***controlling device for a printing image forming apparatus***” (emphasis added) that positively recites as a specific claim element “***a printer driver*** configured to be booted based on a received command from an application program” (emphasis added). Claim 15 goes on to note different elements of the printer driver. Independent Claims 18, 21, and 24 are all directed to printer drivers and Claim 24 is directed to a method of forming a printing image. The above-noted features are believed to clearly distinguish over the teachings in Lee.

As discussed in the present specification with respect to the background, when an image to be printed is edited, a document can be processed in an application.<sup>1</sup> However, the

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<sup>1</sup> Specification at page 1, lines 19-21.

applicants of the present recognized that such an editing in an application cannot be simply performed and processed by a printer driver, and therefore the claimed invention provides a novel printing image forming apparatus and method enabling an operator to simply edit, on a printer driver, a document on a computer and to print the document.<sup>2</sup> Thereby, in the present apparatus and method an application is first activated to issue an order to print an original document, and then a printer driver is activated to start to operate.<sup>3</sup> Then, various steps are taken by the printer driver to allow the printing of the document. Such features of the performing the noted operations in a printer driver of a printing image forming apparatus are believed to clearly distinguish over the applied art to Lee.

Lee is directed to a personal digital assistant (PDA) that includes a fax modem 160 that transmits and receives fax data to allow the fax data to be transmitted, to thereby be printed.<sup>4</sup>

However, applicants submit that in such ways Lee differs from the claims as currently written. More specifically, Lee is not directed to a *controlling device for printing image forming apparatus* that includes a *printer driver*. In Lee the actual printing operation is performed by the fax machine and a control in Lee is part of a personal digital assistant (PDA), which is not a printing image forming apparatus, that merely allows fax transmission. For example independent Claim 15 is specifically directed to a “controlling device for a printing image forming apparatus, comprising: a printer driver”. Lee is clearly not directed to such a printing image forming apparatus including a printer driver.

The outstanding rejection cites the teachings in Lee at column 2, lines 25-55 to meet the claim limitations. At that point Lee merely discloses a printing method for the PDA in which a fax transmission can be executed. However, again in Lee that fax transmission is provided to a facsimile machine that performs the printing operation. In Lee the PDA is not

<sup>2</sup> Specification at page 2, lines 4-9.

<sup>3</sup> Specification at page 4, lines 1-4.

<sup>4</sup> See for example Lee at column 3, lines 1-13 and line 61 *et seq.*

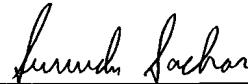
the actual printing image forming apparatus that includes a printer driver, in contrast to the claims as currently written.

In such ways, applicants respectfully submit the claims as currently written distinguish over the teachings in Lee.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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